

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
)	
v.)	CRIMINAL ACTION
)	NO. 04-40026-FDS
BRIAN VALLEE, a/k/a "Chunky",)	
Defendant,)	
_____)	

STATUS REPORT
April 8, 2005

SWARTWOOD, C.M.J.

The following is a Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

Mr. Vallee's counsel has filed a Motion For Discovery. The Government shall file a response to that motion by April 21, 2005.

2. Further Status Conference

A further status conference shall be held in this case on April 29, 2005, at 2:00 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

With the assent of counsel for the parties, I have excluded from the Speedy Trial Act, the period from April 5, 2005 (date of expiration of prior order of excludable time) through April 21,

2005 (date by which the Government shall file its response to Mr. Vallee's Motion For Discovery). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Thursday, June 30, 2005.

4. Interstate Agreement On Detainers ("IAD")

At the status conference, counsel for the Government requested that Mr. Vallee waive his right, under the IAD, to a trial within 120 days. Mr. Vallee has signed such a waiver through April 5, 2005. Mr. Vallee's counsel stated that she would discuss a further waiver of the IAD with her client. If such a waiver is not signed within the next week, I have requested that the parties contact me in order that I may then alert Judge Saylor as to a potential IAD problem.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE